



US Army Corps
of Engineers

Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Public Notice

Public Notice Number: 200300314

Date: September 26, 2003

Comments Due: October 26, 2003

In reply, please refer to the Public Notice Number

TO WHOM IT MAY CONCERN:

SUBJECT: Application for a Department of the Army permit under authority of Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act to dredge an area between the Port of Stockton's West Complex (dock 20-Burns Cutoff) and the Stockton Deep Water Channel, as shown in the attached drawings.

APPLICANT: Port of Stockton
Gordon Palmer
2201 West Washington Street
Stockton, California 95203

LOCATION: The proposed Dredging Port Of Stockton's West Complex project is located at Section 1, Township 1 North, Range 5 East, Stockton, San Joaquin, California.

PURPOSE: The applicant's stated purpose is to provide economic development at Port of Stockton's West Complex by dredging the area for commercial shipping use.

PROJECT DESCRIPTION:

Rough and Ready Island (also referred to as West complex) is in the final process of a transferring a lease from the U.S. Navy to the Port of Stockton (Port). The area was previously dredged to a depth of 30 feet below the mean low low water (MLLW) and maintained at this level. The Port has applied for a permit to dredge to a new depth of 36 feet to accommodate larger ship traffic.

The project would include dredging 250,000 cubic yards of sediment from the area west of Dock 20 to the confluence with Burns Cutoff at the West Complex area. The dredge area would be 1,800 feet long and 125 feet wide and extend from the face of Dock 20 outward to the intersection of the Deep Water Ship Channel to Burns Cutoff.

The applicant would use a hydraulic dredge to complete the process. The dredge uses a spinning cutter head to dislodge the material and an 18 inch diameter suction tube pumps the slurry mix. The slurry mix would consist of 85-90% water (600 acre feet or 195,510,859 gallons) and 10-15% solids (250,000 cubic yards). The slurry mix would be transported by pipeline to Roberts Island. The plastic pipeline would float 2 inches above the water surface when filled with water and air, and rest on the bottom of the River during the dredging operation. The pipeline would extend approximately 10,000 to 12,000 feet to Roberts Island. The dredging

contractor would determine the pipeline route but the applicants preferred pipeline route is to position it along the west bank of the Deep Water Ship Channel. The pipeline would be supported by buoys and placed outside the navigation channel. It would then traverse and cross the top of the levee at Roberts Island, where a road crossing would be constructed and the pipeline would continue to the disposal area.

The applicant has stated that the Roberts Island site has sufficient capacity to retain all dredged solids (250,000 cubic yards) but not all of the water. Roberts Island is an approved disposal management area and is comprised of two distinct tracts of land. The 40-acre tract is currently fallow and is used as a sedimentation disposal area. It can accommodate 270,000 cubic yards of solid material. The 80 acre site serves as an overflow area for decant water and it can accommodate 135,000 cubic yards of solid material. The applicant is proposing to return water not lost to evaporation and infiltration back to the Deep Water Ship Channel after approximately 14-28 days of onsite residence time. The site has been used as a dredged material disposal site since 1982.

The applicant has applied to include a maintenance dredging plan for a minimum of 5 years after the initial dredging effort is complete. The maintenance dredging would occur between June 1, and December 30. It is estimated that approximately 50,000 cubic yards of material would be dredged every two years. The dredged material would be deposited on Roberts island. The applicant anticipates having enough capacity to handle both sediment and water on the site.

AREA DESCRIPTION: The property consists of warehouses, sheds, mile long dock frontage, and 500 acres of open space. The Port would like to develop this area for maritime related uses over the next 20 years. The West complex area consists of 1,459 acres surrounded by Burns Cut Off to the south, east, and west. The Stockton Deep Water Ship Channel surrounds the Northern section of the property, where all the dredging would take place. The ship channel edges have very little aquatic vegetation because the areas rip-rapped or covered by docks and piers.

ADDITIONAL INFORMATION: The Port of Stockton has submitted a separate application to dredge an area immediately adjacent the site (see Dock 14-20 public notice 200300038).

The following endangered species may be present in the permit area: delta smelt (*Hypomesus transpacificus*), Sacramento splittail (*Pogonichthys*), Central Valley steelhead (*Oncorhynchus mykiss*), winter-run chinook salmon (*Oncorhynchus tshawytscha*), and Central Valley spring-run chinook salmon (*Oncorhynchus tshawytscha*). The Corps of Engineers will consult with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service pursuant to the Endangered Species Act (ESA) and essential fish habitat for Pacific Salmon pursuant to Section 305 (b)(2) of the Magnuson-Stevens Act.

No further cultural resources review is warranted because the permit area has been extensively modified by previous work.

The District Engineer has made this determination based on information provided by the applicant and on the Corps' preliminary investigation.

Interested parties are invited to submit written comments on or before **October 26, 2003**. Personal information in comment letters is subject to release to the public through the Freedom of Information Act. Any person may request, in writing, within the comment period specified in this notice that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

If additional information is required, please contact Port of Stockton Gordon Palmer, telephone 209-946-0246, or Mr. Paul Maniccia, at the letterhead address, telephone 916-557-6704.

Mark W. Connelly
Lieutenant Colonel,
Corps of Engineers
Acting District Engineer

Enclosures: Drawing(s)